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**From:** McGill, Thomas [Mcgill.Thomas@epa.gov]  
**Sent:** 8/2/2017 3:15:54 PM  
**To:** Able, Tony [Able.Tony@epa.gov]  
**Subject:** FW: call with R4 adn FL re assumption

Tony – FYI, I forgot to include you on my email below, and you’ll see both Mike McDavit and Phil followed-up with comments. Tom

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**From:** Mancusi-Ungaro, Philip  
**Sent:** Wednesday, August 2, 2017 10:56 AM  
**To:** McDavit, Michael W. <Mcdavit.Michael@epa.gov>; McGill, Thomas <Mcgill.Thomas@epa.gov>; Hurlid, Kathy <Hurlid.Kathy@epa.gov>; Kaiser, Russell <Kaiser.Russell@epa.gov>  
**Cc:** Groman, Hazel <Groman.Hazel@epa.gov>; Mancusi-Ungaro, Philip <Mancusi-Ungaro.Philip@epa.gov>  
**Subject:** RE: call with R4 adn FL re assumption

Sorry for the multiple messages. But I thought I would share the link for the ERP permitting program in Florida. Of course this assumes this is the program they would use (they did that before). The ERP application is a joint application with the ACOE for 404, you check the box it applies to.

You will see that there are a number of different entities in Florida that issue the ERP permits.

<http://www.dep.state.fl.us/water/wetlands/erp/wmd.htm>

Phil

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Philip G. Mancusi-Ungaro  
Attorney-Adviser  
Acting Chief, Office of Water Legal Support  
USEPA Region 4  
61 Forsyth St, SW  
Atlanta, GA 30303  
Tel: 404-562-9519  
Cel: Ex. 6 Personal Privacy (PP)

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**From:** Mancusi-Ungaro, Philip  
**Sent:** Wednesday, August 02, 2017 10:19 AM  
**To:** McDavit, Michael W. <Mcdavit.Michael@epa.gov>; McGill, Thomas <Mcgill.Thomas@epa.gov>; Hurlid, Kathy <Hurlid.Kathy@epa.gov>; Kaiser, Russell <Kaiser.Russell@epa.gov>  
**Cc:** Groman, Hazel <Groman.Hazel@epa.gov>; Mancusi-Ungaro, Philip <Mancusi-Ungaro.Philip@epa.gov>  
**Subject:** RE: call with R4 adn FL re assumption

# Ex. 5 AC/DP

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We can discuss this on our call today.

Phil

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61 Forsyth St, SW  
Atlanta, GA 30303  
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Cel: Ex. 6 Personal Privacy (PP)

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**From:** McDavit, Michael W.  
**Sent:** Wednesday, August 02, 2017 9:30 AM  
**To:** McGill, Thomas <McGill.Thomas@epa.gov>; Hurlid, Kathy <Hurlid.Kathy@epa.gov>; Kaiser, Russell <Kaiser.Russell@epa.gov>  
**Cc:** Groman, Hazel <Groman.Hazel@epa.gov>; Hurlid, Kathy <Hurlid.Kathy@epa.gov>; Mancusi-Ungaro, Philip <Mancusi-Ungaro.Philip@epa.gov>  
**Subject:** RE: call with R4 adn FL re assumption

Thanks Tom. Appreciate the heads up on the two questions. I agree with the general responses below. These are recurring concerns raised by states. The cross-walk is a very useful tool, I would think. Ex. 5 Deliberative Process (DP)

## Ex. 5 Deliberative Process (DP)

Mike

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**From:** McGill, Thomas  
**Sent:** Wednesday, August 02, 2017 9:06 AM  
**To:** Hurlid, Kathy <Hurlid.Kathy@epa.gov>; McDavit, Michael W. <Mcdavit.Michael@epa.gov>; Kaiser, Russell <Kaiser.Russell@epa.gov>  
**Cc:** Groman, Hazel <Groman.Hazel@epa.gov>; Hurlid, Kathy <Hurlid.Kathy@epa.gov>; Mancusi-Ungaro, Philip <Mancusi-Ungaro.Philip@epa.gov>  
**Subject:** RE: call with R4 adn FL re assumption

Mike and Russ – I just sent a separate invitation for the 3:00 call which includes the teleconference information. Please note, during my brief call with FDEP yesterday they teed-up two questions for which they wanted our input. Below are the questions with some notes shared by Kathy yesterday afternoon. I also had a brief conversation with Phil Mancusi-Ungaro about these questions and his perspective seemed to be consistent.

- In order to meet certain requirements for assumption (e.g., requirements for permit duration, ag exemption, alternatives analysis, public interest) is it necessary for Florida to change its state statutes, or alternatively could they be addressed administratively through the State making commitments when it establishes the MOA with the EPA?

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## Ex. 5 Deliberative Process (DP)

- In order for FDEP's requirements to be consistent with CWA 404, should their requirements mimic EPA regs or Corps regs?

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## Ex. 5 Deliberative Process (DP)

Phil – Feel free to chime-in on any of this.

Thanks.

Tom

-----Original Appointment-----

**From:** Hurlb, Kathy

**Sent:** Tuesday, August 1, 2017 11:55 PM

**To:** Hurlb, Kathy; McDavit, Michael W.; Kaiser, Russell; McGill, Thomas

**Cc:** Groman, Hazel

**Subject:** call with R4 adn FL re assumption

**When:** Wednesday, August 2, 2017 3:00 PM-4:00 PM (UTC-05:00) Eastern Time (US & Canada).

**Where:**

I am putting this on your calendars so that they are not taken over by WOTUS or other briefings. Tom was nice in his e-mail. I told him to just say I volunteered you. Actually, I think Mindy would really appreciate HQ ears on the call. Russ you can see if Hazel is free, but I think for this call she is too new to the issue to be the sole rep. Have fun, I'll see you in a couple of weeks (unless I meet a bear).